

How to Use the Software Reseller Statewide Contract

Contract #: ITS42 Contract Duration: 07/01/2010 to 06/30/2015
MMARS #: ITS42* Options to renew: No options available
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Contract Summary

This contract is for software and related services, including installation, implementation, customization, training, support and maintenance. The three vendors on the contract are Software Resellers. Each stocks thousands of types of software and will also work with Software Publishers to obtain software which is not in their current catalog. The Commonwealth's price is based on the invoice paid by the Software Reseller to the Software Publisher, with a small [percentage markup](#).

There are three Statewide Contracts for software with the Software Publishers directly rather than through ITC42: ITS19, Oracle, ITS41DesignatedITD, IBM, and ITS48DesignatedITD, ESRI (Geographic Information Software).

Benefits and Cost Savings

- Covers nearly all software available on the market
- Competitive pricing
- Three vendors available to provide additional competition and selection

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Pricing and Purchase Options

Purchase Options

Licenses will be acquired by outright purchase, subscription, lease purchase or term lease. Lease purchase and term lease are allowable only for Eligible Entities whose rules and regulations permit leasing of software. Term leases (where the Eligible Entity must return the software at the end of the lease) are permitted only in conjunction with term leases of hardware, where the leased software runs on the leased hardware. For leases, the Eligible Entity will be responsible for obtaining financing via a third party leasing company in accordance with the procurement laws and regulations governing the Eligible Entity. The third party leasing company will pay the ITS42 vendor.

Dell is the only company authorized to provide Microsoft software. Other Microsoft products such as disks, documentation, and publications may be obtained from any of the Resellers.

Services will be obtained on a time and materials or fixed price basis.

Pricing

The chart below shows the markup for the most commonly used software. Because the cost to the Software Reseller may vary depending on agreements with the Software Publisher, the lowest markup will not necessarily result in the best price.

Software	Dell	En Pointe	SHI
ADOBE SYSTEMS	1.50%	1.00%	1.25%
ATTACHMATE	1.50%	1.00%	1.00%
BMC	2.50%	1.00%	1.00%
BUSINESS OBJECTS	1.50%	1.00%	1.25%
CITRIX	2.00%	-1.00%	1.25%
EMC	2.50%	1.00%	1.00%
HEWLETT PACKARD	3.00%	1.00%	2.00%
IBM	2.00%	-1.00%	1.00%
INFORMATION BUILDERS	2.50%	1.00%	2.75%
KRONOS	2.50%	1.00%	1.00%
MICROSOFT SOFTWARE	-2.07%	Not applicable	Not applicable
NOVELL	2.00%	1.00%	1.25%
ORACLE	2.50%	1.00%	1.00%
QUEST	1.50%	1.00%	1.25%
RED HAT SOFTWARE	2.50%	1.00%	1.25%
SAS INSTITUTE INC	2.00%	1.00%	1.00%
SYMANTEC CORPORATION	1.50%	1.00%	1.25%
VMWARE	2.50%	-1.00%	1.50%
WEBSense INC	2.50%	1.00%	1.25%
MICROSOFT FULFILLMENT (DISKS AND DOCUMENTATION)	3%	2%	1%
MICROSOFT PRESS (BOOKS AND PUBLICATIONS)	3%	2%	1%

Software	Dell	En Pointe	SHI
ALL OTHER SOFTWARE	3%	6%	3%

Services

Maximum markup for services:	3%	6%	3%
Maximum dollar amount that will be charged as a markup on any single invoice for services:	\$2,525	\$505	\$2,525

Ordering

Eligible Entities request quotes from one or more Software Resellers (see “Seeking multiple quotes,” below) via email, phone, fax or by obtaining the price from the Software Reseller’s website. The Eligible Entity will then send a Purchase Order to the Software Reseller via email, fax or mail.

All orders placed under this contract must include language to make it clear that the order is being placed under ITS42. If you are not using OSD’s standard order form or other form with a place to reference the Statewide Contract number, include the following statement on your Purchase Order: “This order is placed under Statewide Contract ITS42.” Otherwise, the order will not be considered “use of a Statewide Contract” for procurement purposes. In addition it is recommended that the following language be included: “All of the terms and conditions of the Statewide Contract ITS42 are incorporated herein and made a part hereof. Conflicting or additional terms, conditions or agreements included in or attached to this form shall be considered to be superseded and void.”

Seeking multiple quotes

For orders for a particular brand of software over \$5,000 (other than Microsoft orders, which can be handled only by Dell), Eligible Entities must seek quotes from all three Software Resellers. Quotes obtained from the websites are acceptable; for items not in the on-line catalog, Eligible Entities must request quotes from the Software Resellers. Eligible Entities are not required to accept the lowest quote, but if they do not the reason must be documented in the procurement file.

It is not necessary to wait for quotes to be received from all three resellers. Only quotes received within one business day must be considered.

It is not necessary to request multiple quotes for maintenance renewals.

RFQ required for certain large software purchases

Agencies obtaining software with a total cost of ownership of \$250,000 or more must publish an RFQ on Comm-PASS unless one of the following conditions is met:

1. Software is proprietary software needed to operate a device;
2. Agency has previously standardized on use of the software, and is simply obtaining additional licenses or modules to expand their use of the software;
3. Acquisition is for maintenance/support only; and/or
4. Software has a monopoly or near-monopoly status within its domain.

The RFQ will specify that respondents must be willing to provide the software through ITS42, the Software Reseller contract, or through another Statewide Contract for software. The respondent may choose the reseller with whom they wish to partner.

Additional Information

Vendors

For detailed information on how to contact each vendor and obtain access to their website, please follow the links below to locations in this document.

[Dell](#) [EnPointe](#) [SHI](#)

Service Requirements

Response to inquiries (telephone or email): 4 hours

Providing quotes for items in Software Reseller's catalog*: 4 hours

Delivery time after order receipt: Dell – 10 days, SHI and En Pointe: 7 days (except if Eligible Entity notified of delay beyond vendor's control)

Defective/incorrectly delivered media: pay for return shipment by Eligible Entity and replace by overnight delivery if requested

Response to software download/installation problems: 4 hours from notification

Notification of upcoming maintenance expiration: 3 months in advance of expiration

*If items are not in the Software Reseller's catalog and they have no established relationship with the Software Publisher, they cannot control how long it will take to obtain a quote, but must keep the Eligible Entity updated as to progress.

Eligible Entities are encouraged to email OSD's Contract Manager, marge.macevitt@state.ma.us, if these service requirements are not met.

Additional Contract Provisions

Returning Unused Software

Delivered on media

Unopened software can be returned with no restocking fee up to 30 days from the date of receipt, if allowed by the Software Publisher. If not allowed, this must be stated on the quote. Shipping/ delivery for media will be paid by the Eligible Entity.

Delivered via download

Downloaded software can be returned with no additional fees up to 30 days from the date of download, if allowed by the Software Publisher, provided that the Eligible Entity provides any certifications required by the Software Publisher concerning the Eligible Entity's use of the software. If the Software Publisher has a shorter timeframe for returns or requires additional fees, this must be stated on the quote.

Guaranteed 30 Day Quote

Contractors will honor all quotes for 30 calendar days, regardless of price increases. If it is known that a price increase will occur during the 30 calendar days following the quote, the Contractor may provide two quotes, based upon the date that the order is received.

Shipping Charges

None, unless expedited shipping is ordered by the Eligible Entity.

Assistance in locating software packages for a particular purpose

If you know what you want a package to do – for example, transportation scheduling - but don't know what packages are available, contact your Account Team listed in the sections at the end of this document with specific information for each Reseller: [Dell Account Team](#), [En Pointe Account Team](#), [SHI Account Team](#). The Resellers' Account Teams have access to specialized resources for locating software.

“Three way” Agreements

If services such as customization, integration, or other services that are not “off the shelf” are being obtained, the Eligible Entity should have a written agreement for the services. Since there is no Statewide Contract with the Software Publisher, who will generally be providing the services, a “three way” agreement is typically used. This is signed by the Software Publisher, the Software Reseller, and the Eligible Entity. Software Resellers, if requested, must be party to written agreements in excess of \$50,000 for software and/or software related services. The Software Resellers have agreed to the following language:

“This Services Agreement, dated as of, [month, day, year], (“Effective Date”) is made and entered by and between [Software Reseller], (“[Software Reseller Abbreviation]”) a software reseller with principal offices at [street address, state, zip], [Software Publisher], (“[Software Publisher Abbreviation]”), with principal offices at [street address, state, zip], and the [Eligible Entity Name], (“Customer”) with principal offices at [street address, state, zip]. The [Commonwealth or State of [State or Commonwealth Name]] has contracted with [Software Reseller Abbreviation]”, under Contract ITS42 to provide software, maintenance and associated services to various entities within the [Commonwealth or State], and the [Commonwealth or State] does not have a direct contractual relationship with [Software Publisher Abbreviation]. [Software Reseller Abbreviation] is not a manufacturer of these items, but is a “reseller.” With respect to this agreement Customer wishes to purchase software and associated services manufactured and provided by [Software Publisher Abbreviation], and [Software Publisher Abbreviation] is responsible for and assumes liability for the below referenced responsibilities and for their performance under this Agreement. [Software Reseller Abbreviation] has subcontracted with [Software Publisher Abbreviation] for the provision of services under this Agreement. The entire agreement between [Software Reseller Abbreviation] and the [Commonwealth or State] in the following order of precedence consists of (1) the Commonwealth's standard terms and conditions and standard form contract; (2) the Commonwealth's RFR ITS42; (3) [Software Reseller Abbreviation]'s response thereto and (4) the following Agreement as agreed to by [Software Reseller Abbreviation], [Software Publisher Abbreviation] and Customer.”

The Software Resellers cannot compel Software Publishers to sign “three way” agreements if they do not wish to do so, but the Software Resellers are willing to include the language above and to sign such agreements.

How to find the Contract on Comm-PASS

1. Go to www.comm-pass.com
2. Select “Search for contracts” (link near bottom of page)
3. Enter ITS42 as the “Document Number” and click Search
4. Select the new link which now appears toward the top of the page: “There are 1 contracts(s) found that meet your search criteria”
5. Select the eyeglasses icon next to the document entitled “Software Reseller RFR”
6. Information about the contract is found under the different tabs.

Additional Guidance

Maintenance

Maintenance offerings vary from one Software Publisher to another. In many cases, “maintenance” refers primarily to upgrade protection, that is, it enables the user to receive “free” upgrades when upgrades are released. Call-in support may often be obtained via “incident packs” or other mechanisms. The Software Reseller can advise you about different options available. If you receive a quote that includes maintenance, be sure you understand what is included, and that if different maintenance levels are offered, the level you are buying is stated on the quote.

Volume License Agreements

Volume License Agreements (VLAs) are agreements with a Software Publisher that take the expected purchase volume of the entire Commonwealth into account when establishing a discount. Therefore you should not expect an additional discount when you buy a large quantity of software covered by a VLA, such as Microsoft or Adobe, because the discount is already included.

Software License Agreements

License agreements, whether attached separately or presented on-line when installing the software (“click through” agreements) include provisions regarding how the software may be used. It is critical that someone in the Eligible Entity’s organization READ these documents. For example, when a license is installed on a server, is the number of users unlimited? Must there be one license for each individual with a login to that server? Is the number of concurrent users a factor? The Software Publisher or your Software Reseller Account rep will be able to answer specific questions you may have, but you should still read the license agreement.

Better pricing available elsewhere

If you find better pricing from another source, please advise the Software Reseller. They may be able to meet the price by arranging a better deal with the Software Publisher. If they cannot, and the difference is significant, please contact OSD’s Contract Manager, marge.macevitt@state.ma.us. There is a process for obtaining software “off contract.”

Software that is not available

If none of the resellers can provide a quote for the software you wish to obtain, you may obtain it through whatever method you would use, given the size of the purchase, to obtain a commodity that is not available on Statewide Contract. Keep the documentation on file to show that the software could not be obtained under ITS42. You do not need to request permission to go “off contract” in this case.

Strategic Sourcing Services Team Members

Cortissoz, Leo F II	Department of Revenue
Grant, Rashiem	Executive Office of Health and Human Services
Hamel, Linda	Information Technology Division
Morrison, Jim	University of Massachusetts
Silverman, Marc	Department of Public Health
Wong, Maisy	Department of Public Health

Dell

Dell Account Team

As a general rule you should contact your "Inside Sales Representative" first, since s/he will generally be more accessible.

Software Inside Sales Representatives for selected Agencies:

Dave Markko, dave_markko@dell.com 1-224-543-5543

Department of Transportation	DEPT OF SOCIAL SERVICES	STATE LOTTERY COMMISSION
DEPT OF PUBLIC HEALTH	DEPT OF YOUTH SERVICES	Mass Housing and Economic Development
MASS HIGHWAY	DEPT OF MENTAL HEALTH	MBTA
STATE TREASURY	DEPT OF ENVIRON PROTECTION	City of Boston, Boston Public Schools

Kayla Macko kayla_macko@dell.com 1-224-543-5679

ITD	Administration and Finance	Labor and Workforce Development
State Legislature	Mass Trial Courts	BOARD OF HIGHER EDUCATION
OFFICE OF ATTORNEY GENERAL	DEPT. OF REVENUE	Department of Public Safety
OPERATIONAL SERVICES	STATE POLICE	EHS

Massachusetts State agencies not listed above:

Kayla Macko, kayla_macko@dell.com 1-800-953-2105

Dave Markko, dave_markko@dell.com 1-224-543-5543

Chris Fall, christopher_fall@dell.com 617-981-2897

Local Government and Municipalities:

Leah Slowiak, leah_slowiak@dell.com 512-513-2144

Elija Alcala, alcala_elija@dell.com 512-513-0366

Kyle Kinloch kyle_kinloch@dell.com 512-513-0229

Janie Tunstall janie_tunstall@dell.com 512-513-2225

Other Contacts

Chris Fall, Software & Infrastructure Services Account Executive, State and Local Government New England, 617-981-2897, christopher_fall@dell.com. Chris works with state contracts within every state in New England. **All accounts in the State of Massachusetts can contact Chris for an additional level of support and to escalate any issue.**

David Rogers, Local AE for local government, Municipalities, and K-12
David_a_rogers@dell.com 512-695-0178

Roxanne Haayer is the manager of the Eastern Inside State Government Software Sales Team. roxanne_haayer@dell.com 224-543-5328 (Kayla Macko and Dave Markko's supervisor)

Dan Emerson is the Director of Sales for Software across the U.S.
dan_emerson@dell.com 443-422-8090 (Chris Fall's Supervisor)

Bonnie Stringer (Leah, Kyle, Elija, and Janie's supervisor) bonnie_stringer@dell.com 512-513-2188. Bonnie is an additional escalation point for local government, municipalities, and K-12.

Using Dell Software Online to get pricing, reports, and information

Link to [Dell Software Online](#)

Any Eligible Entity can access Dell Software Online. Some Dell Software Online features require an additional level of access:

- reports of your Agency's software purchases
- order tracking

Each Eligible Entity may designate one "Site Supervisor" by contacting their Dell Account Manager. The Site Supervisor will be given a login ID and password which will enable access to account information to control who has access to which additional Dell Software Online features. If you require a login and password to be issued, please contact your Dell Software Inside Sales Representative to request a login and password for Dell Software Online.

Other ways to get reports

The previous section describes how you can run reports on your own. If you prefer, your Dell Account Representative can create reports of your Agency's software purchases, both ad hoc reports and reports which can be scheduled for you to receive automatically on a periodic basis. One report Agencies may find useful is a report showing the expiration date for maintenance for each of their software licenses.

Ordering Address
Dell Marketing, L.P.
850 Asbury Drive
Buffalo Grove, IL 60089

Payment Address
Dell Marketing, L.P.
PO Box 643561
Pittsburg, PA 15264

Dell's **Vendor Code** is VC6000262232.

En Pointe

En Pointe Account Team

To **request a quote** or other information about software:

800-719-8014

Massachusetts@enpointe.com

ITS42 Software Specialist Supervisor

Saiqa Yousaf, Team Lead

310-337-5200 Ext 2611

syousaf@enpointe.com

Ed Kane, Account Executive

617-480-9561

ekane@enpointe.com

Kathy Perez

VP, Public Sector

800-819-9725

kperez@enpointe.com

Placing an Order

Orders can be placed via fax or Email to the ITS42 Account Team:

Email: Massachusetts@enpointe.com

FAX: 800-915-9138

The team can be reached at: 800-719-8014

Pricing and Reporting

Quotes

Simple quotes are most easily obtained by using En Pointe's online portal, [AccessPointe](#).

En Pointe encourages agencies to request specific quotes for multiple-license purchases. For quotes on these larger quantities, or for items not found in the online catalog, please contact En Pointe's ITS42 Software Specialist team at:

800-719-8014 or massachusetts@enpointe.com

Additional Information from En Pointe

Online portal, [AccessPointe](#)

Each eligible entity will be able to set up an [AccessPointe](#) account and designate one or more Site Supervisors when establishing their buying account with En Pointe. The Site Supervisor will be given a login id and password, which will enable access to account information and allow control of access to additional [AccessPointe](#) features. Changes or updates can be made at any time by contacting the ITS42 Specialist Team or the En Pointe Account Manager.

Link to [overview of AccessPointe](#)

and enter –

User ID: mademouser and Password: enpointe

Reports

Once you have a login and password for AccessPointe, you can run reports for your organization's purchases on your own. If you prefer, the En Pointe team can create reports of your agency's software purchases and email them to you, either ad hoc or on a scheduled, recurring basis.

Technical advice

As a VAR (Very Large Account Reseller), or Services LAR (Large Account Reseller), for many of the major vendors on the contract, En Pointe has in-house resources who can provide pre-purchase technical advice and other help in evaluating your technology options. If you need assistance before making your purchase, please contact Ed Dobbins or Heather Miller to be put in touch with the appropriate En Pointe technical resource.

Ordering Address:

En Pointe Technologies Sales Inc.
18701 South Figueroa Street
Gardena, CA 90248
ATTN: Londy Bracale/ITS42

Payment Address:

En Pointe Technologies Sales Inc.
P.O. Box 514429
Los Angeles, CA 90051

National HQ's address:

En Pointe Technologies Sales Inc.
18701 S. Figueroa
Gardena, CA 90248

En Pointe's **Vendor Code** is VC6000262232.

SHI

SHI ACCOUNT TEAM

Requests for Product, Pricing or Licensing Program Information

You can request product, pricing or information via email, fax or phone by contacting the SHI Inside Sales Team for the Commonwealth of Massachusetts.

PHONE: Team Toll-Free # Phone: 800-527-6389 Fax: 888-230-1331

Eric Cheng ext 8237

Grace Engelhardt ext 6195

Howard Chang ext 5840

EMAIL:

State and Local Government MASLG@shi.com

Higher Education MAHiEd@shi.com

K-12 MAK12@shi.com

Overall Contract Management

[Barbara West@shi.com](mailto:Barbara.West@shi.com) New England Region Manager/Contract Manager
508-799-5433 (office) | 508-945-4449 (cell phone) | 508-799-5633 (fax)

[Amanda Spence@shi.com](mailto:Amanda.Spence@shi.com) Commonwealth Account Manager – State Agencies/Cities
800-527-6389 ext 7162 (office) | 732-589-6601 (cell phone) | 732-537-7163 (fax)

[Darlene Beardsley@shi.com](mailto:Darlene.Beardsley@shi.com) Commonwealth Account Manager – K12
603-325-3711

[Jared Snyder@SHI.com](mailto:Jared.Snyder@SHI.com) Commonwealth of MA – Local | Mobile: 978-760-5540

Escalation Path and Complex Requirements

[Zachary Rose@shi.com](mailto:Zachary.Rose@shi.com) Public Sector Inside Sales Manager – East 800-527-6389
ext 7164

[Yara Ismail@shi.com](mailto:Yara.Ismail@shi.com) Senior Public Sector Inside Sales Manager – 800-527-6389
ext 7240

[Katie Okane@shi.com](mailto:Katie.Okane@shi.com) Senior Director of Public Sector – 800-477-6479 ext 5904 |
848-248-3129 (cell)

PRICING AND PRODUCTS FROM SHI WEBSITE

As an alternative to requesting quotes from your account representative, you also search for pricing using SHI's website. A website and catalog has been created specifically for the Commonwealth of Massachusetts ITS42 Contract. You can access this website by logging onto [SHI's website for Massachusetts](#).

Please contact Amanda.spence@shi.com to be set up with a login and password.

If you cannot find the publisher or product that you are searching for, please contact your [Account Team](#). While this catalog contains products from thousands of publishers, it does not contain all of the tens of thousands of partners that SHI works with today. SHI will work to source whatever software products you are looking for.

SHI's **Vendor Code** is VC6000262232.